

The Honorable Tana Lin



APR 25 2024

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

BY

DEPUTY

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
SEATTLE

KURT A. BENSHOOF, *et al.*,

Plaintiffs,

v.

CITY OF SHORELINE, *et al.*,

Defendants.

Case No. 2:24-cv-00343-TL

PLAINTIFF'S RESPONSE TO
SHOW CAUSE ORDER

I. INTRODUCTION

Plaintiff Kurt Benshoof ("Benshoof") hereby responds to this Court's Order to Show Cause (Dkt. #11) regarding Plaintiff's application to proceed *in forma pauperis* ("IFP"). The Court alleged that "Plaintiff fails to provide complete and detailed financial information" and thereupon stated that Benshoof "fails to explain how, if he has no means of support, he is able to meet his monthly expenses." (Dkt. #11 pg. 2 ¶1)

II. VERIFIED STATEMENT OF FACTS

Benshoof fully completed the Court's Declaration and Application to Proceed In Forma Pauperis and Written Consent for Payment of Costs and attested to it under penalty of perjury.

As stated in Benshoof's Declaration, he pays approximately \$300 in monthly credit card payments. (Dkt. #10 pg. 2) Benshoof has paid for some of his monthly expenses with credit cards.

Benshoof also barter with members of his church to cover the rest of his monthly expenses. As neither Benshoof, nor anyone else, possesses documentation of said bartering, there are no records from which Benshoof is able to additionally “provide complete and detailed financial information” to the Court. Benshoof cannot provide the Court something that does not exist.

III. ARGUMENT

If the Court cannot be satisfied with a fully completed and sworn Declaration and Application to Proceed In Forma Pauperis and Written Consent for Payment of Costs, the Court may wish to consider providing the public with a Declaration and Application that expressly requires more specific information.

Bartering is not “income” under U.S.C. Title 26. If the Court is not satisfied with Benshoof’s factual answers in the Declaration form, the Court may wish to consider revising the form it provides the general public so that the Court will be content with factual answers.

Claiming that Benshoof “failed to provide complete and detailed financial information” cannot withstand strict scrutiny, as Benshoof fully completed the Court’s *own form*, which violates the Vagueness Doctrine in the Court’s ambiguous demands and threat of denying his IFP application and/or dismissal. (Dkt. #11 Pg. 2 ¶3) Nor did the Court provide Benshoof an alternative, and more detailed, Declaration form to complete in order to comply with the Court’s Order to Show Cause, It appears that the Court is content when *other* individuals fully complete the form, but not when *Benshoof* fully completes the form; therefore, this may constitute a violation of the Equal Protection Clause of the Fourteenth Amendment.

//

//

//

VERIFICATION

I, Kurt Benshoof, do hereby declare that the foregoing is true and correct to the best of my knowledge under penalty of perjury in the State of Washington. Executed this 16th day of April in the year 2024, in the city of Seattle, in the county of King, in the state of Washington.

By: 
Kurt Benshoof, Plaintiff

1716 N 128th Street
Seattle, WA 98133
Phone: (206) 460-4202
Email: kurtbenshoof@gmail.com

Kurt B.
1716 N 128th ST
Seattle WA 98133

Retail



98101

RDC 99

U.S. POSTAGE PAID
FCM LG ENV
SEATTLE, WA 98133
APR 23, 2024

\$1.63

R2301E155711-12



APR 25 2024

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

BY

DEPUTY

U.S. District Court
Clerk of Court
Ravi Subramanian
700 Stewart Street
Suite 2310
Seattle, WA 98101

